

PIONEER HI-BRED INTERNATIONAL, INC.
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SEP 30 2002

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TO: Assistant Commissioner for Patents

FROM: Steve Callistein

RE: INBRED MAIZE LINE PH6JM

DATE: 9/30/02 FAX NUMBER: (703) 872-9306

NUMBER OF PAGE(S) FOLLOWING THIS SHEET: 70

COMMENTS:

Transmittal Letter – 2 pages

Amendment and Request For Reconsideration – 28 pages

Attachment (Appendix A) - 27 pages

Attachment (Appendix B) – 12 pages


ATCC letter – 1 page

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Steven Callistein
9/30/02
Date

Attorney Docket No. 1318

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Candice A. C. Gardner Date: September 30, 2002
 Gary Edward Henke

Serial No.: 09/758,804 Group Art Unit: 1638

Filed January 11, 2001 Examiner: Ashwin D. Meththa

For: INBRED MAIZE LINE PH6JM

Assistant Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL - LETTER

Enclosed herewith is an Application and Request for Reconsideration Under 37 CFR § 1.111 to Office Action Mailed June 5, 2002

Applicant(s) hereby petition for an extension of time for response from the date of the Examiner's action as needed, the fee being as follows:

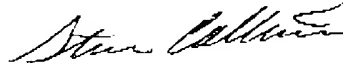
<input checked="" type="checkbox"/>	reply within one month	\$ 110.00
<input type="checkbox"/>	reply within second month	\$ 400.00
<input type="checkbox"/>	reply within third month	\$ 920.00
<input type="checkbox"/>	reply within fourth month	\$1,440.00
<input type="checkbox"/>	reply within fifth month	\$1,960.00

Charge \$110.00 to Deposit Account No. 16-1852 for this extension of time. Two

Serial No. 09/758,804
Group Art Unit: 1638

Please charge any additional fees under 37 CFR 1.16 or 1.17 which may be required by this paper, or credit any overpayment, to Deposit Account No. 16-1852. Also, should the Patent and Trademark Office determine that the fee calculated in the above extension petition is not deemed sufficient to have this response considered as being timely filed, this constitutes a petition for extension of time for the minimum period to effect timely filing, and the Commissioner is authorized to debit any necessary fee to said deposit account.

Respectfully submitted,
Candice A.C. Gardner
Gary Edward Henke



Steven Callistein
Attorney for Applicant(s)
Registration No. 43,525

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ATCC

10801 University Blvd • Manassas, VA 20108-2209 • Telephone: 703-365-2700 • FAX: 703-365-2745

The American Type Culture Collection (ATCC) has received your deposit of seeds in connection with the filing of an application for patent. The following information is provided to fulfil Patent Office requirements.

Name and Address of Depositor:

Pioneer Hi-Bred International, Inc
Attn: Kim M. Hagemann
7100 NW 52nd Avenue
P.O. Box 1000
Johnston, IA 50131-1000

Deposited on Behalf of:

Pioneer Hi-Bred International, Inc

Date of Receipt of Seeds by the ATCC:

August 8, 2002

Scientific Description**Depositor's Reference****Patent Deposit Designation**

Inbred Corn (maize) Seed, Source: C1VTU11163 CLN PH6JM *12/3* PTA-4579

The ATCC understands that:

1. The deposit of these seeds does not grant ATCC a license, either express or implied, to infringe the patent, and our release of these seeds to others does not grant them a license, either express or implied, to infringe the patent.
2. If these seeds should die or be destroyed during the effective term of the patent, it shall be your responsibility to replace them with living seeds of the same type. It is also your responsibility to supply a sufficient quantity for distribution for the deposit term.

Prior to the issuance of a U.S. Patent, the ATCC agrees in consideration for a one-time service charge, not to distribute these seeds or any information relating thereto or to their deposit except as instructed by the depositor or relevant patent office. After a relevant patent issues, and we are instructed to release the seeds, they will be made available for distribution to the public without any restrictions.

The ATCC agrees to maintain the seeds for a period of 30 years from deposit date, or 5 years after the most recent request for a sample, whichever is longer.

We will inform you of requests for the seeds for 30 years from date of deposit.

The seeds were tested August 26, 2002 and were viable.

American Type Culture Collection

Wendy M. H. Hagemann, Seed Deposit
ATCC Patent Depositor

Date: August 29, 2002